

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEBRA L. HIESTERMAN,

)

4:08CV3191

)

Plaintiff,

)

)

v.

)

**MEMORANDUM
AND ORDER**

)

LINCOLN PUBLIC SCHOOLS, et
al.,

)

)

)

Defendants.

)

This matter is before the court on its own motion. On April 29, 2009, the court entered a Memorandum and Order granting Plaintiff an extension of time to serve Defendants. (Filing No. 6.) At that time, the court warned Plaintiff that failure to serve Defendants by June 29, 2009, would result in dismissal of this matter without further notice. (*Id.*) The court also stated that no additional extensions of time to serve Defendants would be permitted. (*Id.*) Plaintiff has never returned a completed summons form, has not served Defendants, and has not filed any other response to the court's April 29, 2009 Memorandum and Order. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

August 3, 2009.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge